

MELINDA HAAG (CABN 132612)  
United States Attorney

DAVID R. CALLAWAY (CABN 121782)  
Chief, Criminal Division

SARAH HAWKINS (CABN 257723)  
Assistant United States Attorney

450 Golden Gate Avenue, Box 36055  
San Francisco, California 94102-3495  
Telephone: (415) 436-7126  
Fax: (415) 436-7207  
Email: Sarah.Hawkins@usdoj.gov

Attorneys for United States of America

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA	)	CASE NO. CR- 15-0194 -JST
	)	
v.	)	STIPULATION AND <del>PROPOSED</del> ORDER
	)	CONTINUING STATUS HEARING AND
ASHLEY CEDRICK SMITH,	)	EXCLUSION OF TIME
	)	
Defendant.	)	

The parties are jointly requesting that the status conference presently set for Friday, August 7, 2015 at 9:30 a.m. be continued to Friday, August 21, 2015 at 9:30 a.m.

Defendant Ashley Cedrick Smith is charged in a one count indictment with Possession of Child Pornography, in violation of 18 U.S.C. § 2252(a)(4)(B). The government has produced initial discovery and has received follow up requests from the defense. The parties intend to meet and confer regarding discovery prior to the next status conference.

For the above reasons, the parties stipulate there is good cause – taking into account the public interest in the prompt disposition of this case – to exclude the time from August 7, 2015 to August 21, 2015 from computation under the Speedy Trial Act. The parties concur that granting the exclusion would allow the reasonable time necessary for effective preparation of counsel and continuity of counsel. *See* 18 U.S.C. §3161(h)(7)(B)(iv). The parties also agree that the ends of justice served by

1 granting such an exclusion of time for the purposes of effective preparation of counsel outweigh the best  
2 interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

3 IT IS SO STIPULATED.

4  
5 DATED: July 7, 2015

MELINDA HAAG  
United States Attorney

6  
7 /s/  
8 SARAH HAWKINS  
Assistant United States Attorney

9  
10 DATED: July 7, 2015

11 /s/  
12 JOYCE LEAVITT  
Counsel for the Defendant

**~~PROPOSED~~ ORDER**

Based upon the above-described Stipulation, THE COURT ORDERS that the status hearing currently set for August 7, 2015 be continued to August 21, 2015.

THE COURT FINDS that the ends of justice served by granting a continuance from August 7, 2015 through and including August 21, 2015 outweigh the best interest of the public and the defendant in a speedy trial, and that failure to grant such a continuance would unreasonably deny the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

Accordingly, THE COURT ORDERS that the period from August 7, 2015 through and including August 21, 2015 is excluded from the otherwise applicable Speedy Trial Act computation, pursuant to 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

IT IS SO ORDERED.

DATED: July 7, 2015

  
HON. JON S. TIGAR  
United States District Judge